

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWAREFILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

KNOWLINGTON O. BURBAGE,

)

Plaintiff,

)

v.

)

C.A. No. 04-133-SLR

)

CITY OF WILMINGTON, MAYOR

)

JAMES BAKER, POLICE DEPARTMENT

)

OF WILMINGTON, DELAWARE,

)

CHIEF MICHAEL SZCZERBA,

)

UNKNOWN SERGEANT,

)

OFFICER LEARY, OFFICER MYERS,

)

)

Defendants.

)

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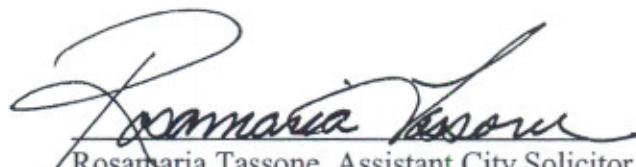
**DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**  
**DIRECTED TO PLAINTIFF**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, the defendants hereby request the plaintiff to produce the following within 30 days of receipt herein. As used herein, documents and things shall include all types of recorded information including but not limited to writings, drawings, graphs, charts, photographs, phonorecords, tapes, computer printouts, and other data compilations from which information can be obtained and translated, if necessary, into a reasonably useable form.

1. If Plaintiff is alleging a physical or mental injury, copies of all hospital records, doctor's notes and reports concerning any tests performed on or concerning plaintiff and any other matter in writing prepared by or on behalf of any person trained in the healing arts including, without limitation, physicians, psychologists, psychiatrists, or counselors, concerning plaintiff's past, present, or future physical condition insofar as such matters in writing may be in the possession of the Plaintiff or available to him upon request by him to any doctor, hospital, or other person trained in the healing

arts.

2. Copies of any and all statements, itemized bills or canceled checks for all medical expenses, special damages, losses or expenses allegedly incurred by Plaintiff as a result of the incident upon which the Complaint is based.
3. Copies of any and all written statements or reports of any expert witnesses containing opinions and/or facts upon which opinions are based concerning any aspect of this litigation.
4. Copies of Plaintiff's Federal and State income tax returns for the ten years prior to the incident alleged in the Complaint and for all years subsequent thereto.
5. Copies of any and all verification for all wages allegedly lost, if any, as a result of the incident alleged in the Complaint.
6. Copies of any and all writings which you intend to rely upon in any way at trial.
7. Copies of all reports of investigation, findings of fact, observation of facts, or circumstances, or any other matter relating to any aspect of the instant litigation.
8. Copies of all documents relied upon by Plaintiff to answer Defendants' First Set of Interrogatories Directed to Plaintiff.



Rosamaria Tassone, Assistant City Solicitor  
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Louis L. Redding City/County Building  
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(302) 576-2175  
Attorney for Defendants City of Wilmington,  
Mayor James Baker, Police Department of  
Wilmington, Chief Michael Szczerba and  
Officer Joseph Leary

DATED: February 16, 2005

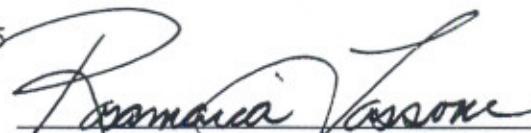
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FOR THE DISTRICT OF DELAWARE

KNOWLINGTON O. BURBAGE, )  
                                  )  
Plaintiff,                  )  
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v.                             ) C.A. No. 04-133-SLR  
                                  )  
CITY OF WILMINGTON, MAYOR )  
JAMES BAKER, POLICE DEPARTMENT )  
OF WILMINGTON, DELAWARE,     )  
CHIEF MICHAEL SZCZERBA,     )  
UNKNOWN SERGEANT,            )  
OFFICER LEARY, OFFICER MYERS, )  
                                  )  
Defendants.                 )

**CERTIFICATE OF SERVICE**

I, Rosamaria Tassone, Esq., hereby certify that on this 16<sup>th</sup> day of February, 2005 two copies of the Defendants' First Request for Production of Documents Directed to Plaintiff were served by U.S. Mail, postage pre-paid to the following individuals:

Knowlington O. Burbage  
Reg. #21524-051  
F.C.I. Elkton  
P.O. Box 10  
Lisbon, OH 44415



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Mayor James Baker, Police Department of  
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Joseph Leary